

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LONNIE LILLARD,

Defendant.

Case No. CR15-270RSM

ORDER DEFERRING RULING ON
EX PARTE MOTION FOR NEW
COUNSEL

This matter comes before the Court on Defendant Lonnie Lillard's sealed ex parte Motion seeking new counsel, Dkt. #69. The Motion is 23 handwritten pages with 136 pages of exhibits, largely comprised of handwritten letters to the Court. He accuses his current counsel, Mr. Weaver, of failing to communicate with him after an initial engagement letter received six months ago, a "total blackout" in Mr. Lillard's words. This is concerning to the Court. However, because Mr. Lillard has filed this himself, under seal and ex parte, the Court has not heard from Mr. Weaver or the Government on the issue.

The request for new counsel could have been made in a few short pages. It did not need to be filed ex parte or under seal. The remainder of Mr. Lillard's Motion and attachments have little or nothing to do with his need for new counsel. It is procedurally improper for Mr. Lillard to seek the other relief he is requesting or to file these materials ex parte. The Court will take no action based on Mr. Lillard's filings unrelated to his need for new representation. The Court reminds Mr. Lillard that this case has been remanded from the Ninth Circuit only to deal with re-sentencing on the 36-month sentence for his violation of supervised release. *See* Dkt. #45.

1 Having reviewed the relevant briefing and the remainder of the record, the Court hereby
2 finds and ORDERS that Defendant Lonnie Lillard's sealed ex parte Motion seeking new counsel,
3 Dkt. #69, is DEFERRED until the Court hears from Mr. Weaver. The Court DIRECTS Mr.
4 Weaver to file a status report explaining his failure to communicate with his client and how he
5 sees the status of this case. This report is due in seven (7) days. The Court will consider
6 appointing new counsel based on this report. The Court shall maintain Dkt. #69 under seal. The
7 letter filed at Dkt. #68 shall be UNSEALED.
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10 DATED this 10th day of April, 2024.
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14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE
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